

The Village of Northfield

REGULAR COUNCIL MEETING Agenda – June 27, 2018

Pledge of Allegiance

Call to Order; Roll Call; Approval of Minutes

Presentation of Petitions, Memorials and Remonstrances

Reports of Municipal Officers:

Jesse J. Nehez, Mayor
Tricia Ingrassia, Finance Director
Richard Wasosky, Engineer
Brad Bryan, Law Director

Department Heads:

John Zolcus, Police Chief
Jason Buss, Fire Chief
Jason Walters, Service/Building Superintendent

Reports of Municipal Boards and Commissions:

Alan Hipps, Planning Commission
Mayor Nehez, Recreation Board

Reports of Standing Committees:

Nicholas Magistrelli, Finance
Jennifer Domzalski, Roads and Public Works
Keith Czerr, Health and Welfare
Gary Vojtush, Wages and Working Conditions
Renell Noack, Fire and Safety
Alan Hipps, Buildings and Grounds

Legislation:

2018-40 – An Emergency Ordinance Establishing Chapter 1267 of the Zoning Code Titled Overlay Area (Third Reading)

2018-42 – An Emergency Ordinance Amending Chapter 864 of the Business Regulation Code Relating to Open-Air Food Markets (First Reading)

Old Business; New Business; Announcements; Adjournment

VILLAGE OF NORTHFIELD ORDINANCE NO. 2018-42
AN EMERGENCY ORDINANCE AMENDING CHAPTER 864 OF THE BUSINESS
REGULATION CODE RELATING TO OPEN-AIR FOOD MARKETS

WHEREAS, in order to better protect the health, safety, welfare, and peace and enjoyment of the Village's residents and the public, the Mayor and Council desire to amend and update chapter 864 of the Business Regulation Code relating to Open-Air Food Markets.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Northfield, County of Summit, and State of Ohio:

SECTION 1. That the Council of the Village of Northfield hereby amends chapter 864 of the Business Regulation Code title of the Codified Ordinances as indicated in the attachment hereto.

SECTION 2. That the rest and remainder of the Codified Ordinances shall remain as presently drafted unless inconsistent herewith.

SECTION 3. That all formal actions of this Council concerning and relating to the deliberation and adoption of this Ordinance were taken in an open meeting of this Council or any of its legal committees and/or were in compliance with all legal requirements.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, and welfare of the Village of Northfield for the reason that it will assist with protecting the safety and peace and enjoyment of the Village's residents, visitors, and consumers, and this Ordinance shall take immediate effect upon its signature by the Mayor, or upon the expiration of time within which it may be disapproved by the Mayor, or upon its passage after its disapproval by the Mayor, as the case may be, pursuant to Village of Northfield Charter Section 4.11.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day
of _____, 2018.

Nicholas Magistrelli, Pres. Pro-Tem of Council

Jesse J. Nehez, Mayor

Approved as to Legal Form.

Bradric T. Bryan, Director of Law

I, Tricia Ingrassia, Clerk of Council of the Village of Northfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly and regularly passed by Council at a meeting held on the _____ day of _____, 2018.

Tricia Ingrassia, Clerk of Council

CHAPTER 864
Open-Air Food Markets

864.01	LICENSE REQUIRED; FEE.
864.02	LICENSE ISSUANCE.
864.03	CLEAN-UP BOND; INSURANCE.
864.035	DISPLAY OF LICENSE.
864.04	LICENSE REVOCATION.
864.05	PENALTY.

864.01 LICENSE REQUIRED; FEE.

No person shall operate an open-air food market within the Municipality without first obtaining a license therefor. The fee for such license shall be one hundred fifty dollars (\$150.00) per year or any portion thereof.

864.02 LICENSE ISSUANCE.

The ~~Mayer~~ Building and Zoning Inspector is hereby authorized and directed to issue the license to any individual, firm or corporation ~~of good reputation that satisfies the following requirements and all other requirements of this chapter:~~

- (a) A notarized application; stating the name, address, telephone number, email address, and social security number or federal tax id number of the applicant; a description of the items to be sold; the proposed hours and days of the week on and during which the market will be open; and written permission from the property owner to operate the market on the property; is filed with and approved by the Building and Zoning Inspector, along with payment of the permit fee and any fire inspection fees;
- (b) A zoning permit to conduct business at the proposed location is received by the applicant;
- (c) All required permits from the County Department of Health have been issued;
- (d) All structures and equipment, whether permanent or temporary, have been approved by the Building and Zoning Inspector, the County Building Department (if required by the County), and the Fire Department;
- (e) The location of any permanent or temporary structures are located so as not to interfere with vehicular traffic, whether on Village streets or on-site, or the use of adjacent properties; and
- (f) Sufficient paved parking is available on site as required by the Village's zoning and parking ordinances.

864.03 CLEAN-UP BOND; INSURANCE.

A clean-up bond of two thousand five hundred dollars (\$2,500) shall be deposited with the Finance Director at the time the license is issued, and upon approval, in writing, of the ~~Health and Welfare Committee of Council~~ Building and Zoning Inspector, such bond shall be returned at the end of each season. In addition, the applicant shall provide proof of casualty and premises liability insurance with limits in the amount of at least \$250,000 per occurrence and \$500,000 aggregate.

864.035 DISPLAY OF LICENSE.

The open-air food market license shall be prominently displayed on the premises at all times during which the market is open.

864.04 LICENSE REVOCATION.

The license may be revoked at any time, without return of the license fee, upon satisfactory proof that any provision of this chapter has not been met; other violations of law pertaining to the premises or business have been committed by the applicant or anyone that is conducting business on the premises pursuant to the license; fraud or a misrepresentation was committed in connection with the application or license or the conduct of activities on the premises; the health, safety, or welfare of the public is endangered by the business; or the applicant ceases to possess the qualifications required under this chapter violation of law or ordinance is permitted or committed on the licensed premises. Any revocation order issued by the Building and Zoning Inspector pursuant to this chapter may be appealed to the Planning Commission within twenty days of the date of the order. The Planning Commission shall hear the appeal within twenty days of the filing of the appeal and make a recommendation to Council as to whether the decision to revoke the permit shall be upheld, overturned, or overturned with the imposition of additional reasonable restrictions on the permit holder. After the Planning Commission's recommendation to Council is issued, Council shall decide whether to accept, reject, or modify the Planning Commission's recommendation within twenty days from the date the Planning Commission's recommendation was made.

864.05 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a minor misdemeanor of the first degree and shall be fined not more than one hundred thousand dollars (\$1,000.00) for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.